

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD KULICK,

Plaintiff,

-against-

GAMMA REAL ESTATE LLC, GRE JV SLP LLC,
GAMMA FUNDING SPECIAL LIMITED
PARTNER LLC, JV MANAGEMENT LLC, N.
RICHARD KALIKOW, JONATHAN KALIKOW,
JOHN ILLUZZI, and VAN NGUYEN,

Defendants.

USDC SDNY
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1:20-cv-03582 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Within fourteen days of this order, the Parties are directed to meet and confer pursuant to Federal Rule of Civil Procedure 26 and exchange initial disclosures. During that meeting, the Parties should also discuss the possibility of settlement.

On or before September 14, 2020, counsel should submit a Proposed Case Management Plan and Scheduling Order and joint letter as discussed below. The documents should be filed on ECF and sent to this Court via email (in both PDF and Microsoft Word formats). The status letter may not exceed 6 pages and must include the following:

1. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case;
2. A brief statement by the plaintiff, or by the defendant in removed cases, as to the basis of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue.

Statements shall include citations to relevant statutes. In cases invoking the Court's diversity jurisdiction, the parties should state both the place of incorporation and the

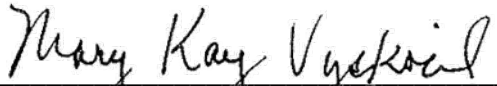
principal place of business of any party that is a corporation, and the citizenship of all members, shareholders, partners, and/or trustees of any party that is a partnership, limited partnership, limited liability company, or trust;

3. A statement of procedural posture, including
 - a. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the conference;
 - b. A brief description of any discovery that has already taken place, and a brief description of any discovery that the parties intend to take in the future; and
 - c. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and
4. Any other information the parties believe may assist the Court in resolving the action.

The Parties submissions will be in lieu of an Initial Pretrial Conference. To the extent the Parties believe a conference would be beneficial, the joint letter should so request. Following receipt of the documents, the Court will review the Parties' proposal and enter a discovery schedule for the case. Because Defendants' pending motion to dismiss does not dispose of all claims or Defendants in this action, discovery will proceed while the motion is under consideration.

SO ORDERED.

**Date: August 24, 2020
New York, NY**


MARY KAY VYSKOCIL
United States District Judge